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Portugal

Food and Agricultural Import Regulations and Standards

2005

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Report Highlights:

This report describes Iberian Peninsula application of the EU-harmonized legislation regarding imports of food products into Portugal and Spain. This report will only focus on Portuguese and Spanish legislation when it differs from the EU-harmonized legislation. (MG8LJ3SH1)

Includes PSD Changes: No
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DISCLAIMER: This report has been prepared by the Offices of Agricultural Affairs of the USDA/Foreign Agricultural Service in Lisbon, Portugal and in Madrid, Spain for U.S. exporters of domestic food and agricultural products. While every possible care has been taken in the preparation of this report, information provided may be no longer complete, nor precise as some import requirements are subject to frequent change. It is highly recommended that U.S. exporters ensure that all necessary customs clearance requirements have been verified with local authorities through your foreign importer before the sale conditions are finalized. FINAL IMPORT APPROVAL OF ANY PRODUCT IS ALWAYS SUBJECT TO THE RULES AND REGULATIONS AS INTERPRETED BY THE COUNTRY OF IMPORT AT THE TIME OF PRODUCT ENTRY.

SECTION I. FOOD LAWS

Imports of food and beverage products into Portugal and Spain are not subject to special legislation other than that of the European Union. Portugal and Spain, as EU member states, follows all rules and regulations that govern food legislation within the European Union. National legislation is also applied when there is no EU-harmonized legislation to be applied.

SECTION II. LABELING REQUIREMENTS

EU-harmonized legislation is applied to:

- General Labeling Requirements
- Nutritional Labeling
- Product-Specific Labeling
- GMO's and Novel Foods Labeling

Multi-language labeling is allowed in both countries. However, Portuguese and/or Spanish are required. Stickers are allowed.

For detailed information on the EU-harmonized labeling legislation, please consult the EU-25 FAIRS report, E34054 at <http://www.fas.usda.gov/scripts/gd.asp?ID=146107373> as well as the website <http://www.useu.be/agri/label.html>.

SECTION III. PACKAGING AND CONTAINER REGULATIONS

EU-harmonized legislation on packaging and container regulations is applied.

For detailed information on the EU-harmonized legislation on packaging and container regulations, please consult the EU-25 FAIRS report, E34054 at <http://www.fas.usda.gov/scripts/gd.asp?ID=146107373> as well as the website www.useu.be/agri/packaging.html.

SECTION IV. FOOD ADDITIVE REGULATIONS

EU-harmonized legislation on food additive regulations is applied.

For detailed information on the EU-harmonized legislation on food additive regulations, please consult the EU-25 FAIRS report, E34054 at <http://www.fas.usda.gov/scripts/gd.asp?ID=146107373> as well as the website www.useu.be/agri/additive.html.

SECTION V. PESTICIDE AND CONTAMINANTS

EU-harmonized legislation on pesticide and contaminants is not fully completed yet. The complete list of maximum residue levels (MRL's) and commodity combinations allowed in the EU can be obtained from the Commission's webpage at http://europa.eu.int/comm/food/plant/protection/resources/mrl_pesticide.pdf.

When a pesticide is not listed under the EU harmonized MRL's list, it should be subject to either Portuguese or Spanish legislation.

Therefore, U.S. exporters may obtain information on the maximum residue levels (MRL's) and commodity combinations allowed in:

Portugal at the Portuguese Ministry of Agriculture webpage, <http://www.dgpc.min-agricultura.pt/fitofarmaceuticos/Residuos/LMR/LMR.htm>

Spain at the Spanish Ministry of Agriculture webpage, http://www.mapya.es/es/agricultura/pags/fitos/registro/lmrs/principal_lmrs2.htm

For detailed information on the EU-harmonized legislation on pesticide and contaminant regulations, please consult the EU-25 FAIRS report, E34054 at <http://www.fas.usda.gov/scripts/gd.asp?ID=146107373> as well as the website www.useu.be/agri/pesticides.html.

SECTION VI. OTHER REGULATIONS AND REQUIREMENTS

EU-harmonized legislation is applied to other regulations and requirements including product inspection, registration and certification.

For detailed information on the EU-harmonized legislation on other regulations and requirements, please consult the EU-25 FAIRS report, E34054 at <http://www.fas.usda.gov/scripts/gd.asp?ID=146107373>. Also, for detailed information on certification, please consult the following websites:

- Certificates for Plant Products - <http://www.useu.be/agri/plantcertif.html>
- Certificates for Animal Products - <http://www.useu.be/agri/certification.html>
- Certificates for Processed Foods - <http://www.useu.be/agri/foodcertif.html>

SECTION VII. OTHER SPECIFIC STANDARDS

For detailed information on the EU-harmonized legislation on other specific standards, please consult the EU-25 FAIRS report, E34054 at <http://www.fas.usda.gov/scripts/gd.asp?ID=146107373>. Also, detailed information may also be obtained at the following websites:

- GMO's - <http://www.useu.be/agri/GMOs.html>
- Novel Foods - <http://www.useu.be/agri/novelfood.html>
- Dietetic or Special Use Foods - <http://www.useu.be/agri/partnutr.html>
- Wine, Beer and Other Alcoholic Beverages - <http://www.useu.be/agri/wine.html>
- Organic Foods - <http://www.useu.be/agri/organic.html>
- Vertical Legislation (Breakfast Directives) - <http://www.useu.be/agri/vertic.html>
- Beef Labeling - <http://www.useu.be/agri/label.html>
- Egg Labeling - <http://www.useu.be/agri/label.html>
- Frozen Foods - <http://www.useu.be/agri/frozen.html>
- Irradiated Foods - <http://www.useu.be/agri/irradiation.html>
- Fruits and Vegetables - <http://www.useu.be/agri/Fruit-Veg.html>
- Seafood - <http://www.useu.be/agri/seafood2.html>

SECTION VIII. COPYRIGHT AND/OR TRADEMARK LAWS

Both Portugal and Spain are signatory to the Paris Convention for the Protection of Industrial Property (WIPO), parties to the Madrid Agreement on International Registration of Trademarks and Prevention of the Use of False Origins. Both the Trademark Law and the Intellectual Property Law address protection for brand names and trademarks.

For detailed information on the EU-harmonized legislation on copyright and/or trademark laws, please consult the EU-25 FAIRS report, E34054 at <http://www.fas.usda.gov/scripts/gd.asp?ID=146107373> as well as [Council Directive 89/104/EEC](#).

SECTION IX. IMPORT PROCEDURES

First Step to Enter the Iberian Peninsula Market

Success in introducing your product in the Iberian Peninsula market begins by locating local representation and/or an importer/distributor. The advantages of this contact include market knowledge, up-to-date information and guidance on trade laws and business practices, sales contacts, and market development expertise. The local importer is the first responsible to either the Portuguese Government or the Spanish Government of imported food products when they enter the Portuguese or the Spanish territories. Therefore, the Portuguese or the Spanish importer should guide you through the whole process to market your product in either Portugal or Spain.

Import Documentation

The following documents are required for ocean or air cargo shipments of food products to Portugal and Spain:

- Bill of Lading and/or Airway Bill

- Commercial Invoice

- Phytosanitary Certificate and/or Health Certificate when applicable

 - See SECTION VI. Other Regulations and Requirements.

- Import Certificate

 - Most food products require an Import Certificate issued by the competent Portuguese or Spanish authority. However, the Import Certificate is obtained by either the Portuguese or the Spanish importer and/or the agent involved in the business and is intended for tariff classification purposes.

Temporary Entry

Foreign goods may enter the Iberian Peninsula territory under temporary duty-free admission. Temporary entry can be allowed for goods in transit, for manufacturing, for temporary storage or for temporary importation. Generally, temporary entry of goods requires the deposit of a guarantee for import duties and VAT which are then reimbursed when the merchandise leaves the territory of the EU. Temporary importation allows the merchandise to stay in the EU territory as foreign merchandise for a period of 24 months.

Samples and Advertising Materials

As EU member countries and members of the Convention to Facilitate the Importation of Samples and Advertising Matter, Portugal and Spain grant duty free entry to giveaway

samples properly labeled. Samples are, however, subject to the same import documentation requirements that apply to ordinary commercial imports and require a symbolic value for customs declaration purposes on the commercial invoice which must carry the statement "Samples Without Commercial Value".

For detailed information on the EU-harmonized legislation on import procedures, please consult the EU-25 FAIRS report, E34054 at <http://www.fas.usda.gov/scripts/gd.asp?ID=146107373>.

APPENDIX I – MAJOR REGULATORY AGENCIES

PORTUGAL

Direcção Geral de Fiscalização e Controlo da Qualidade Alimentar
(General Directorate for Inspection and Control of Food Quality)

Av. Conde Valbom, 96

1050-070 LISBOA

Tel. 351-217983600

Fax 351-217983654

email: dgfcqa@dgfcqa.min-agricultura.pt

www.min-agricultura.pt

Direcção Geral de Protecção das Culturas
(General Directorate for Crop Protection)

Estação Agronómica Nacional

Quinta do Marquês

2780-155 OEIRAS

Tel. 351-214464073

Fax 351-214420616

Email: info@dgpc.min-agricultura.pt

www.dgpc.min-agricultura.pt

Direcção Geral da Veterinária
(General Directorate for Veterinary Services)

Lg. Academia Nacional das Belas Artes, 2

1249-105 LISBOA

Tel. 351-213239500

Fax 351-213239694

Email: veterinaria@mail.telepac.pt

www.dgv.min-agricultura.pt

Direcção Geral da Saúde
(General Directorate for Health)
Alameda D. Afonso Henriques, 45

1000 LISBOA

Tel. 351-218430500

Fax 351-218430530

www.dgsaude.pt

Ministério da Agricultura
Gabinete de Planeamento e Política
Agro-Alimentar
Rua Pd. António Vieira, 1

(Ministry of Agriculture)
(Planning and Policy Cabinet for
Agricultural Food Products)

1099-073 LISBOA
Tel. 351-213819300
Fax 351-213873934
Email: gppaa@gppaa.min-agricultura.pt
<http://www.gppaa.min-agricultura.pt/>

Direcção Geral da Alfandega
(Customs General Directorate)
Terreiro do Trigo
1100 Lisboa
Tel. 351-218861059
Fax 351-218883686
Email: dgaiec@dgaiec.min-financas.pt
www.dgaiec.min-financas.pt

Direcção Geral da Alfandega e Dos Impostos Especiais sobre o Consumo
(Customs and Special Taxation on Consumption General Directorate)
Direcção de Serviços do Licenciamento **(Import Certificates)**
R. Terreiro do Trigo
Edif. Alfândega
1149-060 Lisboa
Tel. 351-218814262
Fax 351-218814261
Email: dsi@dgaiec.min-financas.pt
www.dgaiec.min-financas.pt

SPAIN

MINISTRY OF PUBLIC HEALTH

Imported Foodstuffs, Infections and Compound Residues, Health Certification, Port Inspection and EU Alerts

Subdirección General de Sanidad Exterior
Ministerio de Sanidad y Consumo
Paseo del Prado, 18 y 20
28014 Madrid
Phone: (34-91) 596-2038
Fax: (34-91) 596-2047
Website:
http://www.msc.es/Diseno/informacionProfesional/profesional_sanidad_exterior.htm
E-mail : saniext@msc.es

Food Safety Agency

AGENCIA ESPAÑOLA DE SEGURIDAD ALIMENTARIA (AESa)
Alcalá, 56
28071 Madrid
Website: www.aesa.msc.es
E-mail: comunicacionAesa@msc.es
Fax: (34-91) 338-0375

MINISTRY OF AGRICULTURE, FISHERIES AND FOOD

Plant Health Unit, inspection and certification

Subdirección General de Sanidad Vegetal
Ministerio de Agricultura, Pesca y Alimentación
Avda. Ciudad de Barcelona, 6
28007 Madrid
Phone: (34-91) 347-8258
Fax: (34-91) 347-8263

Animal Health Unit, inspection and certification

Subdirección General de Sanidad Animal
Ministerio de Agricultura, Pesca y Alimentación
Velázquez, 147
28002 Madrid
Phone: (34-91) 347-8295
Fax: (34-91) 347-8299

Planting seeds and Nursery Products, governing several seed trade aspects such as import requirements, seed registration and certification, and the commercial seed catalog.

Registro de Variedades Vegetales
Ctra. de la Coruña, Km. 7,5
28040 Madrid
Phone: (34-91) 347-6908
Fax: (34-91) 347-4168

Pesticides, Registration and MRLS establishment:

Subdirección General de Medios de Producción Agrícola
Ministerio de Agricultura, Pesca y Alimentación
Avda. Ciudad de Barcelona, 118
2007 Madrid
Phone: (34-91) 347-8291; Fax: (34-91) 347-8316

EU Trademark Register

Office for Harmonization in the Internal Market
Avenida Aguilera, 20
03080 Alicante
Tel: (34 96) 513-9100
Fax: (34 96) 513-9173

Registro Especial de Gestion Aduanera

Dirección General de Aduanas
Ministerio de Economía y Hacienda
Guzman El Bueno, 132
28003 Madrid.

Registro General Sanitario de Alimentos

Alcalá, 56
28071 Madrid
Phone: (34) 91 338-0432
Fax: (34) 91 338-0932
Website: <http://www.aesa.msc.es/aesa/web/AESA.jsp>

APPENDIX II – OTHER IMPORT SPECIALIST CONTACTS

The Offices of Agricultural Affairs of the USDA/Foreign Agricultural Service in Lisbon, Portugal and in Madrid/Spain can also assist/guide you in obtaining specific national legislation on all food product directives. You may contact us at the following address:

PORTUGAL

Foreign Agricultural Service
American Embassy, Lisbon
PSC 83, Box FAS
APO AE 09726
Tel. 351-217702358
Fax: 351-217269721
email: Aglberia@usda.gov
<http://www.american-embassy.pt/>

American Embassy, Lisbon
Av. Das Forças Armadas
1600-081 LISBON
Portugal

SPAIN

Foreign Agricultural Service
American Embassy, Madrid
PSC 61, Box 20
APO AE 09642
Tel. 34-915872555
Fax: 34-915872556
email: Aglberia@usda.gov
<http://www.embusa.es/>

American Embassy, Madrid
Serrano, 75 – Box 20
28006 Madrid
Spain